

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JIA SHENG,

Plaintiff,

v.

No. 12-Civ. 01103 (HBS)

M&T BANK CORPORATION and
MANUFACTURERS AND TRADERS TRUST
COMPANY, d/b/a M&T BANK,

DEFENDANTS' EXHIBIT LIST

Defendants.

Defendants, M&T Bank Corporation and Manufacturers and Traders Trust Company, d/b/a M&T Bank (collectively "Defendants" or "M&T"), by their attorney Sean D. Ronan, pursuant to the Court's Final Pretrial Order (Dkt. #43), submits the following list of exhibits that he may seek to introduce at the trial of this matter:

<u>DEFENDANTS' EXHIBIT LIST</u>		
<u>No.</u>	<u>Description of Document</u>	<u>Source of Doc. / Bates No.</u>
D1	Position Description for Quality Control Team Lead	Produced by Defts. on 4/2/13 M&T000002-000003
D2	Email, dated 5/31/12 at 4:57 PM, from Speare to CT Employees, re: CT Organizational Announcement	Produced by Defts. on 4/2/13 M&T000005-000007
D3	Sheng's Annual Performance Appraisal for the period of 01/25/10 – 10/2010	Produced by Defts. on 4/2/13 M&T000009-000016
D4	M&T Bank Employee Handbook, Equal Employment Opportunity Policy (EEO)	Produced by Defts. on 4/2/13 M&T000057-000060
D5	JOINT EXHIBIT -- Sheng's M&T Bank Pay Summary for the years 2010, 2011 and 2012	Produced by Defts. on 4/2/13 M&T000075, 000077, 000079

D6	Email thread, (at top) dated 6/7/12 at 7:33 PM, from Basciani to Sheng re: "Impact of new build to current WBK app regression."	Produced by Defts. on 4/2/13 M&T000136-000140
D7	Email thread, (at top) dated 6/8/12 at 12:56 PM, from Basciani to Sheng, re: "Automation in the SPO environment"	Produced by Defts. on 4/2/13 M&T000145
D8	Email thread, (at top) dated 6/8/12 at 2:04 PM, from Basciani to Sheng, re: "Automated Testing"	Produced by Defts. on 4/2/13 M&T000146-000147
D9	Email thread, (at top) dated 6/8/12 at 5:29 PM, from Sheng to Basciani, re: "Expired AWA," w attachments	Produced by Defts. on 4/2/13 M&T000148-000155
D10	Email thread, (at top) dated 6/8/12 at 5:53 PM, from Sheng to Basciani, re: "SPO app regression contingency planning"	Produced by Defts. on 4/2/13 M&T000156-000159
D11	Email, dated 6/11/12 at 12:34 PM, from Holcomb to Sheng re: "AWA question," w attachment	Produced by Defts. on 4/2/13 M&T000161-000164
D12	Email thread, (at top) dated 6/25/12 at 2:36 PM, from Sheng to Holcomb, Basciani, re: "I'm back: Sporadic time from noon . . ."	Produced by Defts. on 4/2/13 M&T000179
D13	Email thread, (at top) dated 6/27/12 at 5:22 PM, from Holcomb to Sheng re: "Updated AWA Policy," w attachments	Produced by Defts. on 4/2/13 M&T000182-000189
D14	Email thread, (at top) dated 6/28/12 at 11:36 AM, from Sheng to Basciani, re: "Updated AWA policy"	Produced by Defts. on 4/2/13 M&T000190
D15	Email thread, (at top) dated 6/28/12 at 12:55 PM, from Basciani to Sheng, re: "Updated AWA policy"	Produced by Defts. on 4/2/13 M&T000194-000196
D16	Email thread, (at top) dated 6/28/12 at 1:10 PM, from Sheng to Hannibal, re: "Updated AWA policy"	Produced by Defts. on 4/2/13 M&T000197-000199
D17	Email thread, (at top) dated 7/2/12 at 3:48 PM, from Sheng to Holcomb, re: "Updated AWA policy - call in # . . ."	Produced by Defts. on 4/2/13 M&T000203-000205
D18	JOINT EXHIBIT -- Email thread, 7/19/12 at 9:43 AM, from Sheng to Hannibal, re: "7/3 follow up meeting?" w MD note	Produced by Defts. on 4/2/13 M&T000216-000219
D19	Email thread, (at top) dated 7/30/12 at 1:57 PM, from Holcomb to Sheng, re: "Final document attached: LSS00043 . . ."	Produced by Defts. on 4/2/13 M&T000226-000229
D20	Email thread, (at top) dated 7/30/12 at 4:46 PM, from Sheng to Holcomb, re: "Correspondence"	Produced by Defts. on 4/2/13 M&T000230-000231
D21	Email thread, (at top) dated 8/8/12 at 2:20 PM, from Sheng to Holcomb, Hannibal, re: "Expired AWA . . ." w attachments	Produced by Defts. on 4/2/13 M&T000233-000247
D22	Email thread, (at top) dated 8/8/12 at 3:33 PM, from Sheng to Hannibal re: "Jia's AWA request"	Produced by Defts. on 4/2/13 M&T000248-000251

D23	Email thread, (at top) dated 8/15/12 at 2:25 PM, from Sheng to Holcomb, re: "Security Patch Test Case Review" w attachment	Produced by Defts. on 4/2/13 M&T000256-000261
D24	Email thread, (at top) dated 9/10/12 at 5:20 PM, from Holcomb to Sheng, Hannibal, re: "AWA Update"	Produced by Defts. on 4/2/13 M&T000271
D25	Human Resources – Compensation System, Employee Compensation Profile for Jia Sheng, reported 3/6/13 at 2/18 PM	Produced by Defts. on 4/2/13 M&T000283
D26	Email thread, (at top) dated 6/11/12 at 4:35 PM, from Holcomb to Basciani, re: "Follow-up"	Produced by Defts. on 4/2/13 M&T000289
D27	Email thread, (at top) dated 6/17/12 at 10:14 PM, from Basciani to Holcomb re: "What's wrong with Lynn Sherk?"	Produced by Defts. on 4/2/13 M&T000320
D28	Email thread, (at top) dated 6/28/12 at 11:34 AM, from Lee to Holcomb re:, "Updated AWA policy"	Produced by Defts. on 4/2/13 M&T000325-000326
D29	JOINT EXHIBIT -- Email thread, (at top) 6/28/12 at 11:47 AM, from Basciani to Holcomb, re: "Updated AWA policy"	Produced by Defts. on 4/2/13 M&T000334-000336
D30	Email thread, (at top) dated 6/28/12 at 12:54 PM, from Basciani to Holcomb, re: "Updated AWA policy"	Produced by Defts. on 4/2/13 M&T000345-000347
D31	Email thread, (at top) dated 6/28/12 at 12:55 PM, from Basciani to Sheng, re: "Updated AWA policy"	Produced by Defts. on 4/2/13 M&T000348-000350
D32	Email thread, (at top) dated 7/6/12 at 8:04 PM, from Holcomb to Hannibal, re: "Updated AWA policy"	Produced by Defts. on 4/2/13 M&T000359-000362
D33	Email thread, (at top) dated 7/9/12 at 1:25 PM, from Holcomb to Hannibal, re: "Updated AWA policy"	Produced by Defts. on 4/2/13 M&T000367-000370
D34	Email thread, (at top) dated 7/11/12 at 4:10 PM, from Holcomb to Hannibal, re: "Updated AWA policy"	Produced by Defts. on 4/2/13 M&T000372-000376
D35	Email thread, (at top) dated 7/12/12 at 3:00 PM, from Holcomb to Hannibal, re: "Updated AWA policy"	Produced by Defts. on 4/2/13 M&T000390-000394
D36	Email thread, (at top) dated 7/12/12 at 5:22 PM, from Holcomb to Harrell, re: "Updated AWA policy"	Produced by Defts. on 4/2/13 M&T000403-000408
D37	Email thread, (at top) dated 7/12/12 at 6:23 PM, from Holcomb to Hannibal, re: "Updated AWA policy"	Produced by Defts. on 4/2/13 M&T000415-000420
D38	Email thread, (at top) dated 7/17/12 at 9:34 AM, from Holcomb to Basciani, re: "HR Follow-Up"	Produced by Defts. on 4/2/13 M&T000427
D39	Email thread, (at top) dated 8/8/12 at 4:23 PM, from Hannibal to Holcomb, re: "Jia's AWA request"	Produced by Defts. on 4/2/13 M&T000465-000468

D40	Email thread, (at top) dated 8/10/12 at 10:17 AM, from Holcomb to Basciani, re: "Security Patch Test Case Review . . ."	Produced by Defts. on 4/2/13 M&T000473-000478
D41	Email thread, (at top) dated 8/15/12 at 3:16 PM, from Holcomb to Lee, re: "Test Environment for Security Patch Automation"	Produced by Defts. on 4/2/13 M&T000479-000480
D42	Email thread, (at top) dated 8/22/12 at 7:37 AM, from Lee to Hannibal, Holcomb, re: "Jia's AWA request" w attachment	Produced by Defts. on 4/2/13 M&T000486-000492
D43	Email thread, (at top) dated 9/6/12 at 9:55 AM, from Basciani to Holcomb, re: "Discuss the IA test case issue for Automation"	Produced by Defts. on 4/2/13 M&T000513-000514
D44	<i>(Numbering Error – No Exhibit)</i>	
D45	Email thread, (at top) dated 9/6/12 at 4:09 PM, from Holcomb to Hannibal, Lee re: "Jia's AWA request"	Produced by Defts. on 4/2/13 M&T000516-000517
D46	Email thread, (at top) dated 9/10/12 at 8:39 AM, from Holcomb to Lee, re: "New Cert regions"	Produced by Defts. on 4/2/13 M&T000518-000521
D47	Email thread, (at top) dated 8/22/12 at 10:08 AM, from Hannibal to Thompson, re: "Jia's AWA request"	Produced by Defts. on 4/2/13 M&T000561-000565
D48	Email thread, (at top) 7/19/12 at 10:13 AM, from Hannibal to Thompson, re: "7/3 follow up meeting?"	Produced by Defts. on 4/2/13 M&T000567-000569
D49	Email thread, (at top) dated 8/22/12 at 10:08 AM, from Hannibal to Thompson re: "Jia's AWA request"	Produced by Defts. on 4/2/13 M&T000592-000596
D50	Email thread, (at top) 9/10/12 at 12:58 PM, from Hannibal to Thompson, re: "Call me . . ."	Produced by Defts. on 4/2/13 M&T000603
D51	JOINT EXHIBIT --Letter, dated 9/11/12, from Hannibal to Sheng, re: elimination of position w Severance Agreement, etc.	Produced by Defts. on 4/2/13 M&T000607-000613
D52	Email thread, (at top) dated 9/17/12 at 2:09:45 PM, from Thompson to Hannibal, re: "Jia Sheng"	Produced by Defts. on 4/2/13 M&T000617-000620
D53	Email thread, (at top) dated 12/2/11 at 2:57 PM, from Sheng to Basciani, re: "Loan Payments batch Q&A"	Produced by Defts. on 4/2/13 M&T000651-000652
D54	Email thread, (at top) dated 11/4/11 at 10:47 AM, from Sheng to Basciani, re: "eStatements & Loan Payment Code Merge"	Produced by Defts. on 4/2/13 M&T000663-000667
D55	Email thread, (at top) dated 11/1/11 at 11:16 AM, from Sheng to Basciani, re: Memo: App Regression Resource Discussion 10/20	Produced by Defts. on 4/2/13 M&T000684-000685
D56	Email thread, (at top) dated 11/1/11 at 10:16 AM, from Holcomb to Basciani, re: "Cycle 3 vs. Regression"	Produced by Defts. on 4/2/13 M&T000686

D57	Email, dated 10/27/11 at 8:27 PM, from Sheng to Basciani, re: "Got your voice message: about late strategic change . . ."	Produced by Defts. on 4/2/13 M&T000690
D58	Email thread, (at top) dated 10/26/11 at 7:57 PM, from Sheng to Basciani, re: "Reminder. By 3pm Wed. 10/26: Final Update..."	Produced by Defts. on 4/2/13 M&T000695-000696
D59	Email thread, (at top) dated 10/24/11 at 1:26 PM, from Sheng to Basciani, Holcomb re: "Need instruction: App Regression . . ."	Produced by Defts. on 4/2/13 M&T000728-000729
D60	JOINT EXHIBIT -- Jia Sheng's Resumes	Produced by Defts. on 4/2/13 M&T001007-001012
D61	Handwritten notes, re: Sheng's performance	Produced by Defts. on 4/2/13 M&T001013
D62	Handwritten notes, re: Sheng's performance	Produced by Defts. on 4/2/13 M&T001164
D63	Business case re reorganization of Central Technology and decentralization of Quality Assurance	Produced by Defts. on 4/2/13 M&T001183-001184
D64	Email, dated 9/6/12 at 1:48 PM, from Hannibal to Holcomb and Lee re: "Jia's AWA request"	Produced by Defts. on 4/2/13 M&T001185-001186
D65	Email thread, (at top) dated 9/10/12 at 10:55 PM, from Holcomb to Hannibal and Sheng re: "AWA Update"	Produced by Defts. on 4/2/13 M&T 001190-001191
D66	Email thread, (at top) dated 9/6/12 at 4:09 PM, from Holcomb to Hannibal and Lee re: "Jia's AWA request"	Produced by Defts. on 4/2/13 M&T001192-001193
D67	Email thread, (at top) dated 8/22/12 at 7:37 AM, from Lee to Hannibal and Holcomb re: "Jia's AWA request"	Produced by Defts. on 4/2/13 M&T001194-001200
D68	M&T Bank Alternative Work Arrangement (AWA) Request signed by Sheng and dated 1/4/12	Produced by Defts. on 4/2/13 M&T001209-001211
D69	Email thread, (at top) dated 8/8/12 at 4:23 PM, from Hannibal to Holcomb re: "Jia's AWA Request"	Produced by Defts. on 4/2/13 M&T001212-001215
D70	Email thread, (at top) dated 8/8/12 at 3:33 PM, from Sheng to Hannibal re: "Jia's AWA request"	Produced by Defts. on 4/2/13 M&T001216-001219
D71	Email thread, (at top) dated 7/23/12 at 3:50 PM, from Lee to Hannibal and Holcomb re: "Jia Sheng"	Produced by Defts. on 4/2/13 M&T001232
D72	Email thread, (at top) dated 7/19/12 at 9:43 AM, from Sheng to Hannibal re: "7/3 follow up meeting?"	Produced by Defts. on 4/2/13 M&T001234-001236
D73	Email, dated 7/16/12 at 5:08 PM, from Thompson to Holcomb, Lee, Hannibal re: "HR Follow-Up"	Produced by Defts. on 4/2/13 M&T001237

D74	Email Meeting Notice, Start Fri. 7/13/2012 3:30 PM, Subject "Jia Zheng"	Produced by Defts. on 4/2/13 M&T001238
D75	Email thread, (at top) dated 7/12/12 6:23 PM, from Holcomb to Hannibal re: "Updated AWA policy"	Produced by Defts. on 4/2/13 M&T001239-001244
D76	Email thread, (at top) dated 7/9/12 at 1:25 PM, from Holcomb to Hannibal re: "Updated AWA policy"	Produced by Defts. on 4/2/13 M&T001246-001249
D77	Email thread, (at top) dated 7/8/12 at 5:51 PM, from Stacey to Holcomb re: "Space in California locations"	Produced by Defts. on 4/2/13 M&T001250
D78	Email thread, (at top) dated 7/3/12 at 1:30 PM, from Merrifield to Siuda, Deluca re: "Costa Mesa & LA"	Produced by Defts. on 4/2/13 M&T001251
D79	Email thread, (at top) Meeting Notice for "Updated AWA Policy" Start 7/3/12 at 10:00 AM.	Produced by Defts. on 4/2/13 M&T001254-001256.
D80	Handwritten notes, dated 7/3/12, re: "AWA review with Jia."	Produced by Defts. on 4/2/13 M&T001267-001269
D81	Email thread, (at top) dated 7/11/12 at 4:10 PM, from Holcomb to Hannibal, re: "Updated AWA policy"	Produced by Defts. on 4/2/13 M&T001272-001276
D82	Email thread, (at top) dated 6/28//12 at 3:36 PM, from Basciani to Holcomb, re: "Updated AWA Policy"	Produced by Defts. on 4/2/13 M&T001277
D83	Email thread, (at top) dated 6/28/12 at 11:43 AM, from Holcomb to Hannibal, Helmin, re: "Updated AWA policy"	Produced by Defts. on 4/2/13 M&T001280-001281
D84	Email thread, (at top) dated 6/8/12 at 5:29 PM, from Sheng to Holcomb, re: "Expired AWA" w attachments	Produced by Defts. on 4/2/13 M&T001285-001293
D85	Email, dated 6/3/11 at 9:39 AM, from FMLA Notification from UNUM to Holcomb, re: Update Sheng	Produced by Defts. on 4/2/13 M&T001296
D86	Email, dated 10/15/10 at 4:45 PM, from Sheng to Holcomb, re "Address" w notes re birth of baby	Produced by Defts. on 4/2/13 M&T001297
D87	Defendants Exhibit Q to its 4/2/13 production Re: AWA Policy	Produced by Defts. on 4/2/13 M&T001322-001356
D88	Defendants Exhibit R to its 4/2/13 production Re: Henner's AWA	Produced by Defts. on 4/2/13 M&T001357-001380
D89	Defendants Exhibit W to its 4/2/13 production Re: Sheng's EEOC Charge	Produced by Defts. on 4/2/13 M&T001394-001424
D90	M&T Bank Alternative Work Arrangement (AWA) Request by Jia Sheng. Date of Request 1/3/12.	Produced by Pltf. P001-003

D91	JOINT EXHIBIT --M&T letter dated 1/18/11, from Holcomb to Sheng, re: Salary Increase effective 2/11/11.	Produced by Pltf. P004
D92	JOINT EXHIBIT -- M&T letter dated 1/18/12, from Holcomb to Sheng, re: Salary Increase effective 2/10/12.	Produced by Pltf. P005
D93	M&T letter dated 7/19/10, from Greenauer to Whom it May Concern, re: Sheng's job status "Be advised that Jia . . ."	Produced by Pltf. P042
D94	M&T letter dated 7/8/10, from Greenauer to Citizenship & Immigration Services, re: "Notification Change of Employment"	Produced by Pltf. P043-044
D95	NYS DOL letter dated 11/5/12, from Commissioner of Labor to Sheng, re: request for the transfer of wages to New York . . ."	Produced by Pltf. P045-046
D96	Telephone Call Record of Sheng's call to Izu's office on 7/18/12 at 1:16 PM, re: "Patient doesn't want to travel . . ."	Produced by Pltf. P097-098
D97	Emails in March 2013 between Sheng and employment agencies re: job search. Starts "Please confirm our meeting . . ."	Produced by Pltf. P103-109
D98	Email thread, (at top) dated 6/5/13 at 11:56 AM, Sheng to Bhardwaj re: job search. Starts "I had 1.5 year remote testing..."	Produced by Pltf. P150-151
D99	JOINT EXHIBIT -- Resume of Jia Sheng	Produced by Pltf. P152-154
D100	Email thread, (at top) dated 5/29/13 at 1:23 PM, from sheng to Singh re: job search . Starts "Hi, is this position still available?"	Produced by Pltf. P155-P163
D101	Apex Contract Employee Agreement with Sheng dated 6/17/13	Produced by Pltf. P183-186
D102	Email, dated 7/1/13 at 11:56 AM, from Sean Ronan to Krista Gottlieb w cc: Ariel Graf, re: "Sheng" (unconditional offers)	

Dated: October 3, 2014
Buffalo, New York

M&T BANK
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By: /s/ Sean D. Ronan
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